



**DPS CELEBRATES THE  
NEW YEAR  
WITH A NEW AND IMPROVED  
WEB SITE!**



# **Constructive Comments**



Montgomery County  
Department of Permitting Services  
255 Rockville Pike, 2nd Floor  
Rockville, MD 20850-4166  
Phone: 311 in Montgomery County or (240) 777-0311  
<http://www.montgomerycountymd.gov/permittingservices/>

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## **A Message from the Director Diane R. Schwartz Jones**

Happy New Year to all. As you can see from the content of this issue of Constructive Comments, DPS is working hard to improve the services we deliver to the public and our customers. County Executive Ike Leggett has asked that we collaborate with our sister agencies to improve our business processes and streamline the review, inspection and approval of projects in Montgomery County without compromising public participation, quality of approved projects or public safety. We are gathering information on experiences with the development review process and urge you to participate and track this effort by visiting our website. Speaking of our website, please visit it to see our new, more user-friendly design. We are also very pleased to launch a new program to reduce our reliance on paper copies of approved plans by moving to submission of electronic copies. This is a step towards the more ambitious objective of one day being able to serve our customers by accepting and reviewing electronic plans and permit applications. It will take time, but you will see incremental steps as we move in this direction which will be good for the environment, save money for our customers and allow for more efficient concurrent reviews. I hope that you enjoy this issue of Constructive Comments and urge you to visit our streamlining website and participate with us as we work to improve the delivery of services.

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## Streamlining Development

### What is the Streamlining Development Initiative?

The Streamlining Development Initiative is a major cross-agency effort to further streamline County government operations. This initiative will make meaningful changes to the development application process by streamlining reviews and inspections. The objective is to improve process and be more user friendly without compromising substance. As an initial streamlining step, the County has consolidated construction inspections currently being done by the Department of Permitting Services (DPS) and Montgomery County Fire and Rescue Services (MCFRS). DPS now includes fire suppression system construction inspections in its construction inspections. This will save time and money for businesses needing these inspections. Similarly, the Montgomery County Planning Board (MCPB) is kicking off this effort with a change to the way in which it reviews DPS issued building permits. All three agencies, along with others, have committed to collaborate to make their customer service more user-friendly, and make it easier to navigate the development process and obtain building permits.

The following departments and agencies are participating in the Streamlining Development Initiative:

- Board of Appeals
- County Council
- Department of Economic Development
- Department of Environmental Protection
- Department of Fire and Rescue Services
- Department of Housing and Community Affairs
- Department of Permitting Services
- Department of Transportation
- Maryland National Capital Park and Planning Commission
- Office of the County Attorney
- Maryland State Highway Administration
- Office of Zoning and Administrative Hearings

We want to know how users of our respective services find our processes from project idea to occupancy. How long is it taking for projects to become a reality? The County is seeking input from stakeholders on where plans, permit reviews and inspections can be consolidated; redundant reviews minimized; and inconsistencies eliminated. Staff from the agencies above will receive the comments, observations and recommendations about experiences with development approvals. The public and those who use the services of the above agencies were invited to attend two public forums to provide comments on their

experiences with these public services. At the first public forum held on February 14, 2012 there were over sixty attendees.



The second public forum will be held on Friday, March 9 from 1:30 to 3:30 p.m. in the Executive Office Building, Lobby Level Auditorium, 101 Monroe Street, Rockville.

Written comments and responses to the streamlining survey will be accepted through March 31, 2012.

The information received at the forums and the survey results and comments on our website will be used by work groups to investigate identified problems and recommended solutions. These groups will develop options to improve services without compromising public participation, substance, quality of development and public safety.

A dedicated website has been created to receive comments and information on streamlining the development approval process. We welcome your comments and urge you to answer our survey. Go to [www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices) and click on Streamlining Development. Individuals can also register for one of the public forums at this website.



## **DPS PERFORMS FIRE INSPECTIONS**

Beginning February 1, 2012, the Department of Permitting Services will assume the responsibility of providing construction inspections for all fire alarm and fire suppression systems. In most cases, inspections will be scheduled for the next business day when requests are received before 12:00 noon. When you schedule your

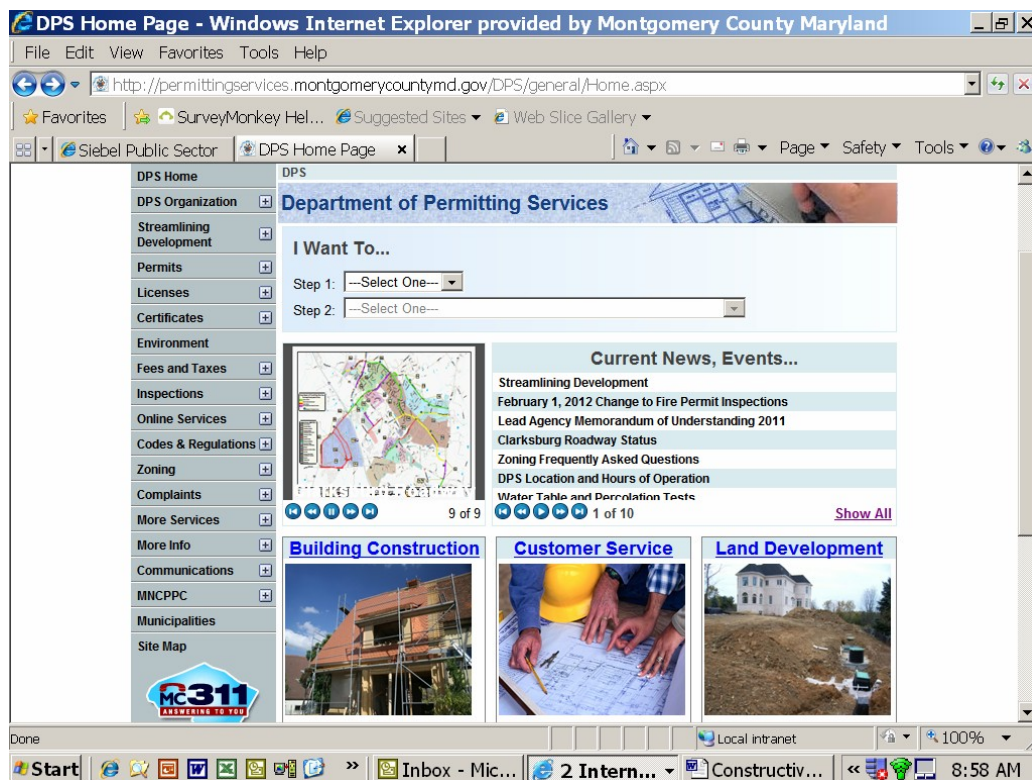
inspection you must specify the location of the inspection – suite number, floor number or entire building.

Inspections may be scheduled using the following methods:

- Schedule your inspection on the DPS website. You will need to have the permit number and your contact ID (printed on your permit) ready.  
<http://www.montgomerycountymd.gov/permittingservices/DPS/general/Home.aspx>
- Schedule your inspection using the DPS Interactive Voice Response system (IVR) by calling 240-777-6210. You will need to have the permit number and your contact ID (printed on your permit) ready.
- Contact 311 (within Montgomery County) or 240-777-0311 (outside Montgomery County) and speak with a Customer Service Representative who will assist you in scheduling your inspection.

## Improving Your Visit to DPS

### The Department of Permitting Services New Website Has Arrived



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The Montgomery County Department of Permitting Services (DPS) is pleased to announce the launch of its new website.

<http://www.montgomerycountymd.gov/permitting/DPS/general/Home.aspx>

DPS has completely redesigned its website with the need of our customers in mind. The new site is more attractive, easier to navigate and most importantly much more interactive. We hope you enjoy the ease of discovering many new user friendly features incorporated in our new website.

We welcome your feedback as we remain committed to continuously update our information and resources in assisting and educating our customers. If you experience any problems using the new website or if you have any suggestions, please email Reggie Jetter at [Reginald.Jetter@montgomerycountymd.gov](mailto:Reginald.Jetter@montgomerycountymd.gov).

The new website was designed by DPS staff Web Design Team who worked diligently and contributed their time and effort over the past year in analyzing and developing the web design concept and updating the information.

### **DPS Improves Plan Access and Storage with Electronic Submissions of Approved Plans**



In an effort to improve service and reduce the amount of paper plans required for submission to DPS, on March 1<sup>st</sup>, 2012, DPS will start a one month pilot program during which customers will be able to submit electronic copies of approved plans for Sediment Control Permits and Right of Way Permits. Following the pilot program, DPS will implement the program on April 1, 2012. Please note that after this deadline, permits will not be issued until an electronic

copy and a hard copy of the approved plans are received by DPS.

For our customers, this will mean they will submit only one hard copy of the approved plans instead of two at plan approval for permit issuance. The other copy will be submitted in a prescribed electronic format (ecopy) on a CD or DVD disk. The applicant will provide a certification stating that the electronic reproduction (ecopy) is an exact reproduction of the hard copy of the DPS approved plans.

DPS believes that both customers and DPS will benefit from the program implementation by handling less paper, retrieving documents faster from DPS electronic warehouse, facilitating easy retrieval of plans in a disaster recovery



situation and reducing the costs associated with customer copying of plans and reduce the number of scanners required by DPS.

The Building Construction Division is looking to similar solutions in the near future.

Look for the [Pilot Electronic Submission Requirements](#) on our web site. If you have questions or need additional information, please contact Christina Contreras at 240-777-6307, [Chistina.Contreras@montgomerycountymd.gov](mailto:Chistina.Contreras@montgomerycountymd.gov) or Atiq Panjshiri 240-777-6352, [Atiq.Panjshiri@montgomerycountymd.gov](mailto:Atiq.Panjshiri@montgomerycountymd.gov).

## Permit Process Reminders

### No Need to Chase Your Cash Bond Refunds – Know the Bond Refund Process

Effective February 1, 2012, DPS will not refund a bond to anyone other than the permittee of record.



- Did you have to pay a bond when you got your demolition or right-of-way permit?
- Has it been refunded to you?
- Do you understand the cash bond refund process?

A Bond is required for the following permit types: Demolition, Sediment Control, Public Right-of-Way (which includes - Grading, Storm Drainage, Paving, Driveway and certain Special Use situations) permits.

Bonds can be posted by means of cash (check), Performance, Letter of Credit or in certain cases only, Certificate of Guarantee. Bonds are considered as posted by the permittee even if posted by a third party on behalf of the permittee. Checks posted for bonds (regardless of whom the check is from), will be considered as being posted by or on behalf of the permittee.

If you posted a cash bond to secure your demolition or land use permit you are entitled to a full refund of that money when the project is completed. Checks posted for bonds will not be refunded until they have cleared the bank (approximately 4 weeks).

To get a refund of your cash bond your project must first pass its final inspection. The final inspection ensures that the demolition or right-of-way site is cleaned up, or restored and that all construction work is completed. Once the final inspection is approved DPS processes the paperwork for the release of your bond money. All bond refunds are made to the permittee, regardless of who actually paid the money. It's important to make sure that DPS has the correct address information for your refund which usually takes 2 - 4 weeks for Demolition Permits after the final inspection and an average of 6 weeks for all other permits.

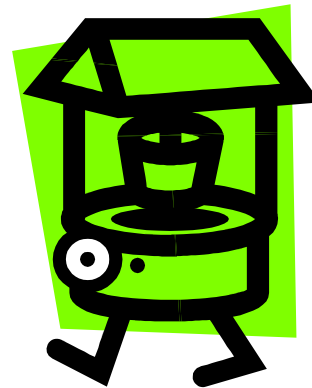
Remember these steps:

1. Make sure DPS has the correct address to which you want your bond refund sent
2. Complete your demolition or construction project
3. Call for a final inspection and PASS the final inspection
4. Your refund should arrive 2 - 6 weeks after your approved final inspection

### **DPS Set to Begin 2012 Water Table & Percolation Tests**

The tentative dates for the 2012 Montgomery County water table testing season are **February 1 through April 13, 2012**. These dates are subject to change based upon precipitation amounts during the months just previous to the test season.

Water table and percolation tests are required to insure that on-site sewage disposal systems (septic systems) will function properly and not contaminate the underground drinking water aquifer.



A water table test is required for all proposed sewage disposal areas. This test, which consists of single or multiple excavations, determines the presence and depth to any "perched" water tables. Water can "perch" on top of slowly or non-permeable soil layers during periods of normal winter precipitation. These tests help insure that sewage disposal systems are located at least four (4) feet higher in the soil profile than any water table.

Upon the successful completion of the water table evaluation, percolation tests can be conducted to determine the permeability of the soil.

Properties that are existing parcels, exempt from the subdivision provisions of the Maryland National Park & Planning Commission (M-NCPPC) will be subject to an application deadline of **Friday April 6, 2012**. Properties that are being subdivided; and other properties that need to be approved under the subdivision provisions of M-NCPPC will be subject to an application deadline of **March 5, 2012**. By this date, application for review by M-NCPPC must be submitted to that agency so that the preliminary **DRC** (Development Review Committee) meeting

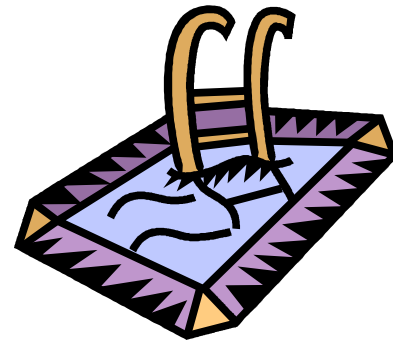


can take place prior to the end of the water table season. Plans submitted to M-NCPPC after March 5, 2012 are at risk for missing the 2012 testing season.

For additional information please contact the Well & Septic Section at **240-777-6319**.

### **Reminder of Current DPS Swimming Pool Policy**

For construction of an in-ground swimming pool, applicants need to provide the cubic yards of earth movement for construction. For pools that result in 100 cubic yards of earth movement or more, the applicant will be required to obtain a Sediment Control permit prior to the issuance of the Building Permit for a swimming pool. Where cases warrant, DPS will issue a Small Land Disturbance Permit – Sediment Control Permit for this type of earth movement. However, there will be cases where an engineered Sediment Control Permit will be required based on the full scope of the design.

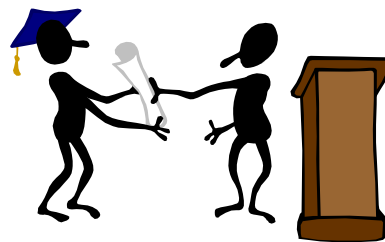


The applicant for a swimming pool permit must obtain a Public Right-of-Way permit for restoration purposes for points of construction equipment access within the right of way. This permit must be acquired prior to issuance of the Building Permit for swimming pool.

## **DPS Partnerships**

### **Is Your Residential Third Party Inspector Certified?**

The Residential Special Inspection Program certifies third party inspectors. As reported in the last issue of this newsletter, the program was modernized to better address the needs of owners, permittees, authorized individuals, and our department. The DPS authorized third party inspectors perform three types of inspections at the request of the permittee: footing, waterproofing/foundation drainage, and concrete floors on ground.



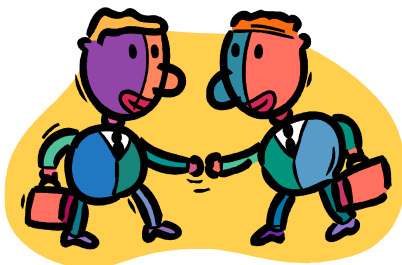
In November and December 2011, most of the DPS authorized third party inspectors attended three mandatory meetings to learn about the changes to the program and to ensure a smooth transition to our new requirements. Based on

the information collected at those meetings, we have posted on our website the 2012 list of authorized residential third party inspectors.

Please note that the updated [Residential Special Inspection Report/Certification](#) form is posted on our website and must be used as of January 1, 2012. Owners, permittees, builders, and contractors must schedule the appropriate inspection within five days from the authorized individual's approval. DPS inspectors will collect these forms in the field and DPS staff will enter them in the automated permitting system.

Please contact Steve Thomas at 240-777-6216, [steve.thomas@montgomerycountymd.gov](mailto:steve.thomas@montgomerycountymd.gov); James Sackett at 301-536-0317, [james.sackett@montgomerycountymd.gov](mailto:james.sackett@montgomerycountymd.gov); or George Muste at 240-777-6232, [george.muste@montgomerycountymd.gov](mailto:george.muste@montgomerycountymd.gov) if you have any questions.

### DPS and MNCPPC Continue to Improve Site Plan Enforcement



In August 2006, the Maryland National Capital Park and Planning Commission (MNCPPC) and the Department of Permitting Services (DPS) crafted a Memorandum of Understanding (MOU) that transferred enforcement of site plans to DPS as a result of the County Council audit to inspect and monitor elements and features on a site plan. The transition of the enforcement activities

became effective February 2007. After several years of implementing the MOU, both DPS and MNCPPC made revisions for improvement effective December 2011.

The revisions included clarifications and modifications with respect to timing, processing of information and grammatical changes to the flow charts. Some of the changes were related to an improvement in the manner by which inspections should occur, while others reflect changes that stemmed from the enforcement rules that were approved by the County Council in 2010. Lastly, changes were necessary to account for the reorganization of the M-NCPPC in January of 2011.

Both agencies have initiated the following steps over the years. **Bolded** items are new and reflected in the revised MOU which is posted on the DPS website.

#### MNCPPC

- 1) DPS receives weekly copies of the site plan schedule to inform them of current applications scheduled for the Planning Board and **specifically amendments to approved plans**, including the reason for the amendment;

- 2) **Site plans and amendments from approximately 2000 to the present have been scanned into MNCPPC DAIC (Development Application Information Center) to allow better access to records and application history;**
- 3) Daily phone conversations occur between DPS and M-NCPPC building permit technicians to address permits with issues related to setbacks and height;
- 4) Frequent coordination on the site with the inspectors to prevent enforcement actions;
- 5) **Site Plan conditions have been approved to allow for more flexibility in the field for minor plan elements such as landscaping, mailboxes and recreation facilities.**

#### DPS

- 1) Maintains the appropriate inspection staff and develops training opportunities when available;
- 2) Documents site visits and inspection results to share with M-NCPPC;
- 3) **Instituted a system for Notices of Non-Compliance (NONC) and Notice of Violation (NOV) to inform the development community that a potential violation has been identified;**
- 4) DPS Site Plan Enforcement staff now actively participate in the DRC review of plans to comment on development standards and plan elements;
- 5) **Added site plan, subdivision, record plat and forest conservation information on the building permit application in order for an applicant to provide as much information on an application to expedite review.**
- 6) **Instituted a site plan inspection protocol for commercial building permit Use & Occupancy approvals.**

Representatives from DPS and MNCPPC meet regularly to identify potential conflicts with approved site plans and the as-built conditions, clarify inspection responsibilities and work towards improving site plan enforcement activities within the County. In addition to the bi-monthly activity meetings, staff from both agencies regularly meet on active sites to address potential site plan violations and remedial action.



## Recognition for DPS Employees



### DPS Best Awards

Each year DPS honors those employees who have demonstrated excellence in the performance of their jobs. These individuals and teams have significantly contributed to the accomplishment of Department programs as a result of exemplary teamwork, cooperation, and collaboration. This year award recipients are:

- **Exceptional Service Award** – this is the Department’s highest level of recognition of an individual or team’s outstanding support of the Department’s programs.

**Award Recipient:** Zoning Inspection Team

Frank De Lange  
Heather Gottke  
Pete Hrycak  
Mark Moran  
Barbara Piczak

- **The Customer Service Award** – is granted to individuals or teams of Department employees or volunteers who provided customer service excellence far and above that normally required. Qualifying service may involve official duties or voluntary activities that significantly contributed to Department initiatives and programs.

**Award Recipient:** Mark Beall

- **The Partnership Award** – recognizes individuals, or teams of DPS employees or volunteers, who developed collaborative relationships with intergovernmental partners, or private sector Individuals or organizations that significantly contributed to the accomplishment of Department programs as a result of exemplary teamwork, cooperation, and collaboration.

**Award Recipient:** Heather Gottke



- Employee of the Year – selections for this award are made based upon the demonstration of the employee’s high standards, personal accountability and ethical behavior in support of departmental programs.

**Award Recipients:**

Erik Flieger – Administrative Professional of the Year

Thomas Carlin – Inspector of the Year

Eugene von Gunten – Manager of the Year

Walter “Ed” Myers – Permit Technician of the Year

William DeGrouchy – Plan Reviewer of the Year

Brian Kim – Plan Reviewer of the Year

## **Construction Art Gallery**

**Photos by Laura Bradshaw**

